



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,466	09/12/2001	Andre Dussault	07045-001-US	5345

20988 7590 08/26/2004
OGILVY RENAULT
1981 MCGILL COLLEGE AVENUE
SUITE 1600
MONTREAL, QC H3A2Y3
CANADA

EXAMINER

HSIA, SHERRIE Y

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/857,466

Applicant(s)

DUSSAULT ET AL.

Examiner

Sherrie Hsia

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5, 10</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2614

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

OR

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishigaki (6072470).

As to claim 15, Ishigaki discloses all the claimed subject matter, the claimed fast boot-up computing device is met by the control unit 7, ROM 8, RAM 9 and network I/F 3 (Fig. 2), the claimed plurality of hardware elements is met by the control unit 7, ROM 8, RAM 9 and network I/F 3 (Fig. 2), the claimed initial program loader unit is met by the control unit 7 and RAM 9 (Fig. 2), the claimed plurality of program elements is met by the ROM 8 (see Figs. 1, 2, 3 and column 4 lines 56-column 5 line 62).

As to claims 16 and 17, the claimed limitations are disclosed by Ishigaki (Fig. 2, column 4 line 56-column 5 line 62).

As to claim 18, the claimed limitation is met by the control unit 7, ROM 8, RAM 9 and network I/F 3 (Fig. 2).

Art Unit: 2614

As to claim 19, the claimed video path is met by the recording media drive apparatus 2, switch 5 and mixer 18 (Fig. 2), the claimed first input is met by the input from the control unit 7 (Fig. 2), the claimed second input is met by the input 17 (Fig. 2), the claimed output is met by the output 16 (Fig. 2) and the claimed display unit is met by the monitor apparatus 11 (Fig. 2).

As to claim 20, the claimed feature is disclosed by Ishigaki (Figs 1-3 and column 3 line 43-column 6 line 42).

2. Claims 15- 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schindler (6516467).

As to claim 15, Schindler discloses all the claimed subject matter, the claimed fast boot-up computing device is met by the personal computer 118 (Figs.1 and 3), the claimed plurality of hardware elements is met by the computer 118 (Fig. 3), the claimed initial program loader unit is met by the processor 310 and RAM 314 (Fig. 3), the claimed plurality of program elements is met by the disk drive 332 (see Figs. 1, 3 and column 9 lines 41-column 11 line 57).

As to claims 16 and 17, the claimed limitations are disclosed by Schindler (Fig. 3, column 9 line 41-column 11 line 57).

As to claim 18, the claimed limitation is met by the processor 310, Disk drive 332, RAM 314, modem 322 diskette drive 336, cd rom drive 334 (Fig. 3).

As to claim 19, the claimed video path is met by the VGA/video card 318 (Fig. 3), the claimed first input is met by the input from the processor 310 via PCI bus 312 (Fig. 3), the claimed second input is met by the input from satellite dish 114 in fig. 1 or inputs 524 and 544-

Art Unit: 2614

548 in Fig. 5 (Fig. 2), the claimed output is met by the output 542 (Fig. 5) and the claimed display unit is met by the monitor 120 (Figs. 1, 3 and 5).

As to claim 20, the claimed feature is disclosed by Schindler (Figs 1, 3 and 5 and column 9 line 41-column 12 line 42).

As to claims 21 and 22, the claimed feature is disclosed by Schindler (column 9 lines 15-19).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler (6516467).

- Art Unit: 2614

Schindler shows the claimed invention except for the display unit having the dot pitch of about 0.000862 times the given diagonal dimension. Since Schindler shows the dot pitch in a range from 0.65-0.80mm for a 29" diagonal CRT (0.0008820-0.001086 X diagonal (29"/737mm CRT)) and from 0.80 to 0.95 for a 33" diagonal CRT (0.0009547-0.001137 X diagonal (33"/838mm CRT)) and taught at column 9 lines 22-25 that the above specifications may vary, but are designed to provide optimal viewability. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler by having the dot pitch at 0.000862 times diagonal in order to optimize it for a given screen size, desired display resolution, brightness, etc.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson, Jr. (6593972) discloses an interactive display system having a control box.

Haroun (5787259) shows a digital interconnects of a PC with consumer electronics device having an entertainment computer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703) 305-4738.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (703) 308-HELP.


Sherrie Hsia
Primary Examiner
Art Unit 2614

SH
August 23, 2004